

FLW



PATENT

Attorney Docket No.: 36290-0385-00-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Patent application of :  
Patrick Gerard Johnston, et al. :  
Serial No. 10/566,417 : Group Art Unit  
Filing Date: February 7, 2006 : 1636  
For: IN VITRO GENE EXPRESSION ASSAY FOR : Examiner  
DETERMINING FLUOROPYRIDIMINE : Not Yet Assigned  
SENSITIVITY IN CHEMOTHERAPY : Confirmation No.: 1909

**REQUEST FOR CORRECTED FILING RECEIPT**

Office of Initial Patent Examination  
Filing Receipt Corrections  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Attached is a marked-up copy of the official filing receipt received from the Patent Office in the above-identified application for which an issuance of a corrected filing receipt is respectfully requested. Applicants respectfully request that the following change be made:

<b>CERTIFICATE OF MAILING</b> <b>UNDER 37 C.F.R. 1.8(a)</b>	
I hereby certify that this paper, along with any paper referred to as being attached or enclosed, is being deposited with the United States Postal Service on the date indicated below, with sufficient postage, as first class mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
BY	<u>Jennifer R. Hanna</u>
DATE:	<u>2/12/08</u>

Please correct the Applicant's names to read as follows:

Patrick Gerard Johnston, UNITED KINGDOM

Daniel Broderick Longley, UNITED KINGDOM

Pamela Joan Maxwell, UNITED KINGDOM


The Declaration and Power of Attorney filed with the PTO-1390 form was incorrect as it belongs to another application. The correct Declaration and Power of Attorney for this matter is enclosed.

Also enclosed is a copy of the first page of the International Application listing the correct inventors for this matter.

No fee is believed due for this service. However, if a fee is due, charge the same to Deposit Account No. 50-0573.

Respectfully submitted,

PATRICK GERARD JOHNSTON, et al.

By:   
DANIEL A. MONACO  
Registration No. 30,480  
Drinker Biddle & Reath LLP  
One Logan Square  
18<sup>th</sup> and Cherry Streets  
Philadelphia, PA 19103-6996  
(215) 988-3312 – Phone  
(215) 988-2757 - Fax  
*Attorney for the Applicants*



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	TOT CLAIMS	IND CLAIMS
10/566,417	02/07/2006	1636	690	08830-0385US1	23	4

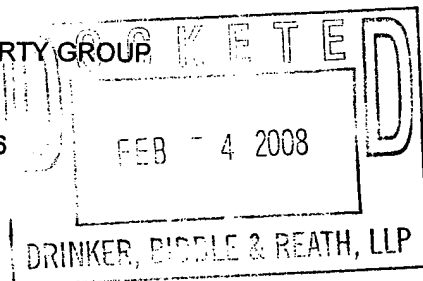
CONFIRMATION NO. 1909

## FILING RECEIPT



23973

DRINKER BIDDLE & REATH  
ATTN: INTELLECTUAL PROPERTY GROUP  
ONE LOGAN SQUARE  
18TH AND CHERRY STREETS  
PHILADELPHIA, PA 19103-6996



Date Mailed: 01/30/2008

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections**

## Applicant(s)

~~Alastair Hay, Edinburgh, UNITED KINGDOM;~~~~Graham Cotton, Edinburgh, UNITED KINGDOM;~~~~Robert Ramage, Edinburgh, UNITED KINGDOM;~~

Patrick Gerard Johnston, United Kingdom  
Daniel Broderick Longley, United Kingdom  
Pamela Joan Maxwell, United Kingdom

Power of Attorney: The patent practitioners associated with Customer Number 23973

## Domestic Priority data as claimed by applicant

This application is a 371 of PCT/GB04/03342 07/30/2004

## Foreign Applications

UNITED KINGDOM 0312426.6 07/30/2003

If Required, Foreign Filing License Granted: 12/04/2006

The country code and number of your priority application, to be used for filing abroad under the Paris Convention,  
is **US 10/566,417**

Projected Publication Date: 05/08/2008

Non-Publication Request: No

Early Publication Request: No

**\*\* SMALL ENTITY \*\***

**Title**

Vitro Gene Expression Assay for Determining Fluoropyridimine Sensitivity in Chemotherapy

**Preliminary Class**

435

**PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

**LICENSE FOR FOREIGN FILING UNDER**

**Title 35, United States Code, Section 184**

**Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as

set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).